BURK N. ASHFORD
PLAINTIFF/PETITIONER/MOVANT'S NAME

FILED
08 MAY 29 PM 4:21
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: CP DEPUTY

PRISON NUMBER

PLACE OF CONFINEMENT
1462 Red Bark Rd
Escondido, CA 92029
ADDRESS

United States District Court
Southern District Of California

BURK N. ASHFORD, Plaintiff/Petitioner/Movant

v.

Goeppinger-Curran Dev. LLC, Thos. W. Curran, Neil, Defendant/Respondent

Civil No. '08 CV 0949 WQH RBB
(TO BE FILLED IN BY U.S. DISTRICT COURT CLERK)

MOTION AND DECLARATION UNDER PENALTY OF PERJURY IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS

I, BURK N. ASHFORD
declare that I am the Plaintiff/Petitioner/Movant in this case. In support of my request to proceed without prepayment of fees or security under 28 U.S.C. § 1915, I further declare I am unable to pay the fees of this proceeding or give security because of my poverty, and that I believe I am entitled to redress.

In further support of this application, I answer the following question under penalty of perjury:

1. Are you currently incarcerated? ☐ Yes ☒ No (If "No" go to question 2)
   If "Yes," state the place of your incarceration ______
   Are you employed at the institution? • Yes • No
   Do you receive any payment from the institution? • Yes • No
   [Have the institution fill out the Certificate portion of this affidavit and attach a certified copy of the trust account statement from the institution of your incarceration showing at least the last six months transactions.]

2. Are you currently employed? [x] Yes [ ] No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

Self-employed remodeling contractor - sporadic piece-work, extreme fluctuations in income. Income for the months of November 2007 thru January 2008 was virtually nil - with no subsistance available. Working from Craigslist ads and from job to job,

b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

____

____

____

3. In the past twelve months have you received any money from any of the following sources?:

a. Business, profession or other self-employment [x] Yes [ ] No
b. Rent payments, royalties interest or dividends [ ] Yes [x] No
c. Pensions, annuities or life insurance [ ] Yes [x] No
d. Disability or workers compensation [ ] Yes [x] No
e. Social Security, disability or other welfare [ ] Yes [x] No
e. Gifts or inheritances [ ] Yes [x] No
f. Spousal or child support [ ] Yes [x] No
g. Any other sources [ ] Yes [x] No

If the answer to any of the above is "Yes" describe each source and state the amount received and what you expect you will continue to receive each month.

Sporadic insufficient income from remodeling projects.

4. Do you have any checking account(s)? [ ] Yes [x] No

a. Name(s) and address(es) of bank(s):______________________________
b. Present balance in account(s):______________________________

5. Do you have any savings/IRA/money market/CDS' separate from checking accounts? [ ] Yes [x] No

a. Name(s) and address(es) of bank(s):______________________________
b. Present balance in account(s):______________________________

6. Do you own an automobile or other motor vehicle? [ ] Yes [x] No

a. Make:__________ Year:__________ Model:__________
b. Is it financed? • Yes • No
c. If so, what is the amount owed?

7. Do you own any real estate, stocks, bonds, securities, other financial instruments, or other valuable property?

   ☐ Yes ☒ No

   If "Yes" describe the property and state its value.______________________________

8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

   No other dependants

9. List any other debts (current obligations, indicating amounts owed and to whom they are payable):

Washington Mutual Visa Card	$6,500
Washington Mutual Master Card	$3,700
Orchard Bank Visa Card	$ 350
HSBC Visa Card	$ 550
GE Bank Card	$ 500
American General	$2,500
Judgments	$35,000

10. List any other assets or items of value (specify real estate, gifts, trusts inheritances, government bonds, stocks, savings certificates, notes, jewelry, artwork, or any other assets [include any items of value held in someone else's name]):

    None

11. If you answered all of the items in #3 "No," and have not indicated any other assets or sources of income anywhere on this form, you must explain the sources of funds for your day-to-day expenses.

I declare under penalty of perjury that the above information is true and correct and understand that a false statement herein may result in the dismissal of my claims.

05/27/08

DATE

[signature]

SIGNATURE OF APPLICANT

DECLARATION OF
BURK N. ASHFORD
1462 Red Bark Rd
Escondido, CA 92029
(760) 743-5471
In support of Motion for In Forma Pauperis

Comes now the Plaintiff, Burk N. Ashford, who declares that the following is true and correct to the best of his knowledge and belief.

This case has been going on for nearly 4 years - and has drained virtually all of the Plaintiff's cash for legal fees and consultations. Further his income has been eroded by not being able to build homes for sale due to this litigation.

Further, in performing remodeling for home-owners and other contractors, the annual boost in oil prices causes the remodeling market to plunge during the spikes in fuel each spring and summer season, which should be good work months but are not much these past several years.

Work is very sparce - I had virtually no work from November thru February and only intermittent projects since then - I am past due on my rent which was due on May 1st and sometimes even money for food is short. All of my credit cards are overlimit and I can't borrow for anything - I don't own a home, my car belongs to my kids and they allow me to drive it.

I just don't have any spare money for the Court filing fee.

Respectfully submitted,

Burk N. Ashford
In Propria Persona

May 28, 2008

Personal and Confidential